BORA LASKIN LAW LIBRARY
3 1761 09233720 3

SUPPLEMENTARY MATERIALS ON PUBLIC INTERNATIONAL LAW

(1978-79 edition)

VOLUME THREE

LAW LIBRARY

SUPPLEMENTARY MATERIALS ON PUBLIC INTERNATIONAL LAW

(1978-79 edition)

VOLUME THREE

Selected and edited by
Gerald L. Morris
Faculty of Law
University of Toronto

(Assisted by Phil Lalonde - Law III)

These materials are intended for use in an introductory course in public international law given in a Canadian law faculty and are compiled as a supplement to D.J. Harris, Cases and Materials on International Law (Sweet and Maxwell; London, 1973).

3695
C3
M6
1978
v.3

SUPPLEMENTARY MATERIALS ON
PUBLIC INTERNATIONAL LAW

TABLE OF CONTENTS

PAGE

PART THREE: INTERNATIONAL PERSONALITY

Harris, Chapter 4, pp. 94-197, pp. 110-112, pp. 142-165 and pp. 170-175. 705

A. RECOGNITION

Canadian Practice in International Law 705
External Affairs Press Release, April 3, 1974 706
External Affairs Press Release, February 18, 1976 707
External Affairs Press Release, August 1, 1975 708
Laane & Baltser v. Estonian State Cargo & Passenger S.S. Line 709
Binavince, Canadian Practice in Matters of Recognition (Chapter 7 of CPILO) 711
* Nixon, A Case Note on Bilang v. Rigg 733
Hesperides Hotels Ltd. v. Aegean Turkish Holidays Ltd. (C.A.) 742
Hesperides Hotels Ltd. v. Aegean Turkish Holidays Ltd. (Lords) 750
* Merrills, Law, Politics and the Legislation of the Unrecognized Government 751
* O.A.U. Resolution on Non-Recognition of South-African Bantustans 768

B. SELF DETERMINATION AND INTERNATIONAL LAW: THE CASE OF QUEBEC

* Claydon & Whyte, Legal Aspects of Quebec's Claim for Independence 769

C. INTERNATIONAL ORGANIZATIONS

Harris, Chapter 4, pp. 133-140 783
External Affairs Memorandum, October 1976 783
External Affairs Memorandum, October 1976 784

D. INDIVIDUALS

Harris, Chapter 4, pp. 140-142 786
Goldhirsch, International Litigation: The European Court of Human Rights 786
X v. Federal Republic of Germany 789
Current Survey: The European Human Rights Convention 795
* Feingold, The Doctrine of Margin of Appreciation and the European Convention on Human Rights 797
* Viscount Kilmuir, Nuremberg In Retrospect 802
* Taylor, Crimes Beyond Punishment 808
* Macdonald, A United Nations High Commissioner for Human Rights: The Decline and Fall of an Initiative 810

E. COMPANIES

Laane & Baltser v. Estonian State Cargo & Passenger S.S. Line 826
Barcelona Traction, Light and Power Case (Harris, p. 461) 832
* Mann, The Protection of Shareholder's Interests in the [illegible] of the Barcelona Traction Case 832
* Copithorne, Chapter 9 of CPILO, State Responsibility and International Claims 844
* External Affairs Press Release, August 29, 1973 859
* External Affairs Press Release, December 17, 1974 860
* U.S. Policy on Foreign Investment and Nationalization Reiterated 861

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/supplementarymat03morr

PART FOUR: JURISDICTION AND IMMUNITIES

A. BASES OF JURISDICTION

Harris, Chapter 5, pp. 176-197 and pp. 210-211;
Chapter 6, pp. 235-237 and pp. 246-248 862

B. IMMUNITIES

Lee and Vechsler, Chapter 8 of CPILO, Soverign, Diplomatic and Consular Immunities 862

(i) Sovereign Immunity

Harris, Chapter 6, pp. 263-285 879

(a) Sovereign Immunity in Great Britain

Thai-Europe Tapioca Ltd. v. Pakistan 879
* The Philippine Admiral v. Wallem Shipping Ltd. 885
Trendtex Trading Corp. v. Central Bank of Nigeria 894
Chinkin, Trading Activities by Foreign Sovereign States and the Law of Sovereign Immunity 904
Czarnikow Ltd. v. Rolimpex 907

(b) Sovereign Immunity in Canada

Ogdensburg Bridge ¢ Port Authority v. Town of Edwardsburg 914
* Penthouse Studios Inc. v. Venezuela 920
Republic of The Congo v. Venne 922
* Molot, Suability, Taxability and Sovereign Immunity In Canada 934
* Smith v. Canadian Javelin Ltd. 938
Zodiak International Products Inc. v. Polish People's Republic 940
McRae, The Doctrine of Sovereign Immunity 945

(c) Sovereign Immunity in the United States

* Bayar, Case Comment on Spacil v. Crowe 955
Cardozo, A Note on Sovereign Immunity 960
Report on Proposed Federal Legislation on Sovereign Immunity 961
Foreign Sovereign Immunities Act (1976) 964

(ii) Diplomatic Immunities

Harris, Chapter 6, pp. 285-300 969
Foreign Legations Reference Case 969
* Rose v. The King 969
* Rex v. Lunan 969
* Globe & Mail, August 2, 1978 970